

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOUGLAS KRILEY, *et al*,

*Plaintiffs,*

v.

XTO ENERGY INC.,

*Defendant.*

Civil Action No. 2:20-cv-416

Hon. William S. Stickman IV

Hon. Christopher B. Brown

**ORDER OF COURT**

Plaintiff putative class members Douglas Kriley, Tina Kriley, Thomas A. Michel, Carol L. Michel, Geraldine C. Wiefeling, Charles E. Waddingham, II, and Carol G. Waddingham (collectively “Plaintiffs”) initiated this civil action in March 2020 for alleged breaches of natural gas royalty leases against Defendant XTO Energy Inc. (“Defendant”); (ECF No. 1). Currently pending before the Court is a motion to certify the class pursuant to Federal Rule of Civil Procedure 23. (ECF No. 96). Magistrate Judge Christopher B. Brown conducted a class certification hearing on June 17, 2025. (ECF No. 131). Thereafter, and with the benefit of post-hearing briefing (ECF Nos. 137 and 138), he issued a comprehensive Report and Recommendation. (ECF No. 140). The parties were given the opportunity to file objections, and Defendant did so. (ECF No. 141). Plaintiffs then filed a response to Defendant’s objections. (ECF No. 142).

After its independent *de novo* review of the record and consideration of the pleadings of the parties, the Court hereby ADOPTS Magistrate Judge Brown’s Report and Recommendation as its Opinion. The Court OVERRULES Defendants’ objections (ECF No. 141). It concurs with Magistrate Judge Brown’s thorough analysis and his legal conclusions.

AND NOW, this 5 day of September 2025, IT IS HEREBY ORDERED that Plaintiffs' Amended Motion for Class Certification (ECF No. 96) is GRANTED IN PART and DENIED IN PART. Class certification is granted under Federal Rule of Civil Procedure 23(b)(3), but it is denied under Federal Rule of Civil Procedure 23(b)(2). A class certification order shall follow.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W. S. Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV  
UNITED STATES DISTRICT JUDGE